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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR 09-00615 JW
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER CONTINUING DATE FOR
v.)	STATUS CONFERENCE AND
)	EXCLUDING TIME
DIANA RIOS,)	
)	Date: February 1, 2010
Defendant.)	Time: 1:30 p.m.
)	
)	Before The Honorable James Ware

The parties to this case hereby agree and stipulate as follows:

WHEREAS,

1. The parties are scheduled for their first appearance before the district court at the above date and time, and are still in the process of exchanging and reviewing discovery, as well as discussing whether it might be possible to reach an early resolution of the case;

2. Both the defendant and her counsel live in New York, and it is inconvenient to them to travel to California for a status hearing at which the parties would simply be requesting a continuance for further status;

3. Based on his trial schedule, defense counsel has requested that the matter be put over to March 1, 2010, in order to accommodate both his schedule and the need for effective

1 defense preparation; and

2 4. The parties therefore agree that the time occasioned by this continuance is
3 excludible pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(i) and (iv).

4 IT IS THEREFORE STIPULATED AS FOLLOWS:

5 The case should be continued for a further status and setting conference, or disposition, to
6 occur on **Monday, March 1, 2010, at 1:30 p.m.**, before The Honorable James Ware, United
7 States District Judge. The time between February 1 and the above date should be excluded from
8 the Speedy Trial clock for the reasons set forth above.

9 / s /

10 ARNOLD KEITH, ESQ.
11 Counsel for Defendant
DATE: January 28, 2010

12 JOSEPH P. RUSSONIELLO
13 United States Attorney

14 / s /

15 DAVID R. CALLAWAY
16 Counsel for Plaintiff
DATE: January 28, 2010

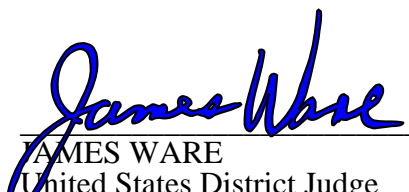
17 **ORDER**

18 Based upon the foregoing Stipulation and good cause appearing therefor,

19 IT IS HEREBY ORDERED that this matter is continued for further status and setting
20 conference, or for disposition, to occur on **Monday, March 1, 2010, at 1:30 p.m.**

21 IT IS FURTHER ORDERED that the time between February 1 and March 1, 2010, shall
22 be excluded from the computation the period within which the trial must commence, for the
23 reasons and based upon the statutory provisions set forth by the parties in the Stipulation. The
24 Court finds that the ends of justice outweigh the interests of the public and the parties in a
25 speedier trial based upon the grounds set forth above.

26 DATED: January 29, 2010

27 
28 JAMES WARE
United States District Judge